

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

Case No. 1:25-mc-00098

GASTON BROWNE CORRUPTION
DISCOVERY APPLICATION

**DECLARATION OF CHRISTOPHER DARWIN GUNSON IN SUPPORT OF
APPLICATION UNDER 28 U.S.C. § 1782 TO TAKE DISCOVERY IN THIS DISTRICT
FOR USE IN FOREIGN PROCEEDINGS**

I, Christopher Darwin Gunson, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 the foregoing is true and correct:

Introduction:

1. I am a legal advisor licensed by the Dubai Rulers Court in Dubai, United Arab Emirates (“UAE”) in good standing to practice law with license no. L-03760 at Amereller Legal Consultants, and make this declaration in support of the application of Yulia Guryeva-Motlokhov (“Applicant”) under 28 U.S.C. § 1782 (the “Application”) to take discovery pursuant to 28 U.S.C. § 1782 (the “Requested Discovery”).

2. I have fifteen years of experience as a qualified lawyer in the UAE.

3. Except as otherwise indicated, all statements in this Declaration are based upon my personal knowledge and experience, or upon my discussions with, or review of the work product

of, other counsel working on behalf of Applicant. Insofar as they are within my own knowledge, the facts and matters set forth herein are, to the best of my own knowledge and belief, true.

4. In making this Declaration I do not waive any applicable legal privileges.

The Contemplated UAE Criminal Proceedings:

5. Based on my discussions with Applicant's counsel, I am aware the Applicant is a resident of Dubai, UAE.

6. Based on my discussions with Applicant's counsel, I am also aware that Applicant is considering initiating legal proceedings in the UAE against Gaston Browne ("Browne"), the current Prime Minister of Antigua and Barbuda, and potentially others connected to Browne, based on the confiscation and sale of the motor yacht *Alfa Nero*, which Applicant believes was the result of corruption and self-dealing by Browne and certain members of his inner circle.

7. The contemplated proceedings are criminal in nature and, pending the Requested Discovery, would be initiated before the UAE Federal Public Prosecution, against Browne and potentially others (the "Contemplated Criminal Proceedings").

8. Under UAE law, the procedures for initiating the criminal charges in this matter are as follows: first, a petition is filed with the UAE Federal Public Prosecution in the Emirate of Abu Dhabi, which has jurisdiction over the prosecution of crimes committed abroad against claimants resident in the UAE claims under Article 24 of the Federal Decree-Law No. 31 of 2021 On the Issuance of the Crimes and Penalties Law ("UAE Penal Code"). If the petition is deemed admissible, the Federal Public Prosecution will initiate an investigation, gathering evidence from the complainant and other relevant sources, and will investigate whether or not the subject matter of the petition is a crime under the UAE Penal Code. If sufficient evidence is found, the UAE

Federal Public Prosecution may proceed with formal charges and refer the matter to the appropriate federal court for trial.

9. The Contemplated Criminal Proceedings are expected to be filed on the basis of Articles 24, 435 and 451 of the UAE Federal Penal Code. Article 435 provides that an individual who embezzles movable property owned by a person other than the perpetrator is subject to up to life imprisonment. Article 451 provides that one who disposes a movable property while being aware that it is not his own or that he has no right to dispose thereof, and such an act causes harm to another, is subject to incarceration for a period not exceeding two years. In addition, Article 456 of the UAE Federal Penal Code provides that an individual who knowingly possesses or hides any proceeds from a crime, even without taking part in committing it, shall be punished with the penalty prescribed for the crime from which he knows they have resulted.

10. Applicant intends to file the Contemplated Criminal Proceedings once she has sufficient evidence to persuade the UAE Federal Public Prosecution that a prosecution will be successful. Obtaining discovery through this application would provide direct evidence of Browne's criminal conduct subject to UAE law, and is expected to identify other accomplices against whom criminal charges should be sought. This will assist both the UAE Federal Public Prosecution, and in turn, the UAE criminal judge to adjudicate on the matter.

The Intended Use of the Requested Discovery

11. I understand that through the Application, Applicant seeks sale records regarding the 2024 sale of the motor yacht *Alfa Nero*, as well as financial transfer information from certain financial institutions regarding Browne and certain of his inner circle (the Requested Discovery).

12. In my assessment, the Requested Discovery will permit Applicant to identify critical details about the confiscation and sale of the *Alfa Nero* and the disposition of the proceeds

of the same. Specifically, I expect that financial records for the *Alfa Nero*'s sale and/or charter will identify the persons and entities who benefitted from the vessel's seizure and sale, and financial transfer information for Browne and his inner circle will identify the persons and entities that act on Browne's behalf and for his benefit. As such, the Requested Discovery will thus also identify possible accomplices and coconspirators of Browne, as well as any parties who have possession of criminal proceeds, in order to file a criminal complaint with the UAE Federal Public Prosecution. In combination, I expect that the Requested Discovery will allow Applicant to determine whether and how Browne, possibly with the assistance of others, executed a self-interested seizure and sale of the vessel. Subject to the Requested Discovery, I believe such conduct would provide grounds for lodging a criminal action under UAE law, as detailed above.

13. It is expected that the Requested Discovery will be admissible in the Contemplated Criminal Proceedings, and is not barred by any applicable law or local court rules.

14. None of the custodians of the Requested Discovery will be a party to the Contemplated Criminal Proceedings if Applicant brings such an action. Moreover, the Applicant would not request that criminal charges be brought against any of the custodians of the Requested Discovery.

15. If the evidence produced in this action reveals that the Contemplated Criminal Proceedings would be more appropriately brought in a jurisdiction other than the UAE, I intend to consult with counsel in the appropriate jurisdiction to have criminal charges, and, if appropriate, civil charges brought there.

16. UAE litigation and local court rules allow for the submission of documentary evidence.

17. No judicial authority in the UAE has rejected any effort by Applicant to obtain the requested documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: Dubai, UAE
10 March 2025



Christopher Darwin Gunson

